

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
)
V.) **CR. No.: 1:05CR247-W**
)
MIKEL BRETT ELMORE)

NOTICE OF INTENT TO CHANGE PLEA

COMES NOW the Defendant, Mikel Brett Elmore, by and through undersigned counsel, Kevin L. Butler, and notifies the Court of his intent to change his previously entered plea of not guilty to guilty. Defendant waives his right to plead in front of a district judge and consents to do so before a magistrate judge.

Dated this 4th day of January 2006.

Respectfully submitted,

s/ Kevin L. Butler
KEVIN L. BUTLER
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CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Kent Brunson, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Sean P. Tarantino, Esquire
Special Assistant U.S. Attorney
Office of the Staff Judge Advocate
Soldier Service Center, Bldg. 5700
Fort Rucker, Alabama 36362-5000

Respectfully submitted,

s/ Kevin L. Butler
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